

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Prasch et al.

Application No.: 10/559,882

Filed: December 7, 2005

For: MICROPELLETS, METHOD FOR THE
PRODUCTION THEREOF, AND USE
THEREOF

Group: 4173

Examiner: Nissa M. Westerberg

Our File: SMB-PT164

(PC 04 246 K US)

Date: January 15, 2008

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement, Applicants elect Group I (claims 1-9, 11, 12, 14-16 and 20), without traverse. The non-elected claims will be canceled and pursued in a divisional application.

In response to the first species election, Applicants elect polyoxypropylene polyoxyethylene condensates or block polymerisates (for example a poloxamer) as the solutizer.

In response to the second species election, Applicants elect the macrolide antibiotic (for example azithromycin or clarithromycin) as the hard to dissolve effective agent.

Applicant: Prasch et al.
Application No.: Not Yet Known

In response to the third species election, Applicants elect no coating being present.

Although the Action indicates that all of the claims are generic, Applicants believe that claims 1-9, 11, 12 and 14 read on the elected species. Claims 15, 16 and 20 should remain in the application if one of the claims which read on the elected species is allowed

If any additional information is required, please contact the undersigned as soon as possible.

Early consideration and allowance of the pending claims is respectfully requested.

Respectfully submitted,

Prasch et al.

By__/Randolph J. Huis/____
Randolph J. Huis
Registration No. 34,626
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103
RJH/dmm